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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 38331-0003

Applicant(s): Akira TSUBOKURA et al. Confirmation No. 9520

Appl. No.: 10/049,228 Group Art Unit: 1651

Filing Date: February 11, 2002 Examiner: MARX, Irene

Title: PROCESS OF PRODUCING CAROTENOID PIGMENTS

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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This is in Response to the Office Action mailed September 23, 2003, response to which is due October 23, 2003. Applicants do not believe that any fees are required. In the event this is not correct, applicants request such extension of time and authorize the Commissioner to charge the undersigned's Deposit Account No. 08-1641.

Applicants herewith elect, with traverse, the claims of Group II, claims 5-11, drawn to a microbial method of making carotenoids wherein production ratios are changed by controlling concentration of dissolved oxygen in the culture composition comprising propionic bacteria. Applicants reserve the right to pursue non-elected subject matter in one or more divisional application.

Examination on the merits is awaited.

Respectfully submitted,

Date: October 21, 2003

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